

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
Pro Se [Non-Prisoner] Complaint Form

[Enter the full name of the plaintiff in this action]

MR. RICKY A JENNIGS

) Civil Action No.
) 2:14-cv-929-RMG-BHH
) (to be assigned by Clerk)

v.

[Enter the full name of each defendant in this action. If possible, please list only one defendant per line.]

CHARLESTON CO. SHERIFF DEPT.

AL Cannon

DEPUTY MS. POIRIER

If allowed by statute, do you wish to have a trial by jury? Yes X No _____

[If any answer requires additional space, please use additional paper and attach hereto.]

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes _____ No X

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B. If your answer to A is Yes, describe the lawsuit in the space below. [If more than one lawsuit, describe on another sheet of paper using the same outline.]

1. Parties to this previous lawsuit:

Plaintiff: _____

Defendant(s): _____

2. Court: _____
(If federal court, name the district; if state court, name the county)

3. Docket Number: _____

4. Name(s) of Judge(s) to whom case was assigned: _____

5. Status of Case: _____
(For example, was the case dismissed? Settled? Appealed? Still Pending?)

6. Date lawsuit was filed: _____

7. Date of disposition (if concluded): _____

C. Do you have any other lawsuit(s) pending in the federal court in South Carolina?

Yes _____ No X

II. PARTIES

In Item A below, place your name and address in the space provided. [If additional plaintiffs, do the same on another sheet of paper.]

A. Name of Plaintiff: MR. RICKY A. JENNINGS

Address: 3841 LEEDS AVE N. CHARLESTON, SC. 29405

In Item B below, place the full name of the defendant, and his/her/its address, in the space provided. Use Item C for additional defendants, if any.

B. Name of Defendant: CHARLESTON COUNTY SHERIFF DEPT.

Address: 3505 Pinehaven N. Charleston S.C. 29405

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- C. *Additional Defendants (provide the same information for each defendant as listed in Item B above):*

Deputy Sheriff MS. POIRIER
 Sheriff AL Cannon

III. STATEMENT OF CLAIM

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include also the name(s) of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets of paper if necessary.

On 6-2-13 at approx. 12:00 PM, I WAS traveling in A U-haul
 north on Hwy 17 near Charleston. AS I Approached Georgetown
 A police Cruiser followed And then Activated blue lights.
 I continued until I saw a clearing to my right. I pulled
 over And Exited the vehicle with my hands completely
 Exposed. This is recorded on the video dash-cam. The
 Officer pointed her Tazer And I Fled into a wooded
 Area. Officer Poirier then pursued me And fired her

III. STATEMENT OF CLAIM - continued.

Tazer striking me in the back. I fell, but began to recover and rose to my feet. As I stood the officer attempted to handcuff me. I once again attempted to flee. I then broke away and heard a pop and a slight jolt to my back. I turned to partially face the officer. I then saw her fire a second shot striking me in my fossa/forearm. I stumbled and fell, my legs unable to move. As I was falling I once again felt the affects of a Tazer. As I lay on the ground the officer screamed "stay down, you fucker, stay down." I yelled back "I'm down, I'm down." The officer then ran over and began to apply the handcuffs. All the while she pulled and jerked on my collar ordering me to stay down. I later realized this was theatrical. This officer alone handcuffed me before any other officers arrived. I Alledge she used excessive force. I was unarmed and always showed my hands exposed. While attempting to flee, I never took any aggressive posture with the officer. The officer fired no warning shots and clearly shot to kill an unarmed man. She reported a violent confrontation, but reported no injury visible or non-visible. I am now a paraplegic as a result of her malice.

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- ① The subject is shown to have both hands clearly visible. Dep Poirier is clearly lying when she states that the subject would not show his hands after repeated commands. Her statements contradict the Dash-cam video. Dep Poirier attempts to build justification for her use of excessive force.
- ② The Dash-cam video confirms that Dep Poirier had little doubt that the subject was completely unarmed as she pursued him into the woods. She then proceeded to repeatedly take and shoot the unarmed subject who but only fled.
- ③ Dep Poirier asks us to believe that her and the subject fought on the ground, ultimately leaving her no choice but to shoot the subject. However, the injury report fails to support any evidence of this altercation. She is listed to have no injuries visible or non-visible. This would not be consistent with someone engaged in vigorous struggle also being repeatedly assaulted. ~~She is~~ shown to be untruthful and unreliable when there is video available. How much less credible when there is no video.
- ④ Dep Newkirk states he heard 3 shots fired when he arrived. Only 2 shots were fired. He also qualifies as being untruthful or at the very least unreliable by this statement alone.
- ⑤ Dep Newkirk says he then spoke to Dep Poirier via radio. She advised suspect shot send EMS. He then found Dep Poirier still fighting.

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with the Subject at gunpoint. Dep Poirier states Subject fell to the ground after being shot. Subject was shot twice, once to his spine he was paralyzed immediately as he is to this day. The Subject was unarmed and injured. There would be no reason for Dep Poirier to have her weapon still drawn while handcuffing the Subject. Dep Newkirk saw nothing but an injured Subject on the ground. His account clumsily fails to corroborate Dep Poirier's. Dep Poirier states she requested EMS after Dep Newkirk's arrival. Dep Newkirk is bolstering his testimony and relie.

⑥ EMS states the Subject fired shots at Police and as a result was shot by Police to his left flank and right arm. This story was likely relayed to them by officers attempting to justify the shooting of a fleeing unarmed Subject. We see here signs of early attempt to adjust and evolve the story.

⑦ Dep Poirier states to firing only 2 shots. She states that Dep Newkirk arrived with Subject on the ground and injured. Dep Poirier also states she called EMS after Dep Newkirk assisted in handcuffing the fallen Subject. Both these Deputies are shown to be unreliable in their statements. For this reason their statements also contradict one another. Without substantial corroboration their testimony cannot be accepted as credible. The proven discrepancies in each Deputies statements show each has a willingness to lie, and in fact do so.

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On Feb 2, 2014 I attempted to mail this application. I placed it in the hands of officer Bowden. She was to inspect it for contraband and seal it. The officer did not seal it and was found moments later reading its contents. After 5 days I inquired as to my mails status. I was told it was on the Desk of Sgt Lipsey head of Security. I stated I wanted my mail returned to me. It was retrieved from Sgt Lipsey's office by Sgt Morris. Upon my inspection the envelope was still unsealed and available for any interested parties to view and inspect at leisure. This was on Feb 7, 2014. I should assume that any concerned parties were notified during this 5 days of unimpeded exposure. I now doubt that my mail both outgoing and incoming will be left untampered. I also fear for my safety because of the sensitive nature of this suit. If this application has reached you, it is because I was successful in creating an unorthodox avenue to have it delivered. I also beg your pardon for my lack of professional skill. I request I be moved to a safe location under the protection of the federal court. I AM federal inmate # 18373-021. I also request the court appoint me an attorney to navigate any further ~~pro~~ proceedings.

IV. RELIEF.

State briefly and exactly what you want this court to do for you.

I request the Court to award damages for
pain, suffering and loss of health due to the
use of excessive force done in malice by
Deputy Pairier, an employee of the Charleston
County Sheriffs Dept. I request an award in
the amount of 12,000,000.00 due to the extreme nature
of my injuries and the excruciating pain I live with
because of them. These injuries have resulted in a loss
of mobility and bodily functions and are likely to
be Lifelong

I declare under penalty of perjury that the foregoing is true and correct.

Signed this _____ day of _____, 20____.


 Signature of Plaintiff